

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name;

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Automated Media Delivery System

the specification of which (check one) ☒ is attached hereto, or ☐ was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

=====
I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed	
	Yes	No

Number	Country	Day/Month/Year Filed
--------	---------	----------------------

_____	_____
-------	-------

Number	Country	Day/Month/Year Filed
--------	---------	----------------------

_____	_____
-------	-------

=====
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

MICHAEL A. GLENN, Reg. No. 30,176
DONALD M. HENDRICKS, Reg. No. 40,355
KIRK D. WONG, Reg. No. 43,284
EARLE JENNINGS, Reg. No. 44,804
CHRIS PEIL, Reg. No. 45,005

SEND CORRESPONDENCE TO:

MICHAEL A. GLENN, 3475 Edison Way, Suite L, Menlo Park, CA 94025

=====

404160 40562660

I hereby claim the benefit under Title 35, United States code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/226,043</u>	<u>8/16/00</u>	<u>Provisional-Pending</u>
Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned
<u>09/425,326</u>	<u>10/21/1999</u>	<u>Pending</u>
Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: CHRISTOPHER SAMANIEGO

Inventor's signature Christopher Samaniego 8-9-01
Date

Residence 461 Second Street, San Francisco, California 94107

Post Office Address _____

Citizenship United States of America

Full name of second joint inventor: NELSON H. "ROCKY" OFFNER

Inventor's signature Nelson H. Offner 8/9/01
Date

Residence 172 Ardmore Road, Kensington, California 94707

Post Office Address _____

Citizenship United States of America

Full name of third joint inventor: ADRIAN D. THEWLIS

Inventor's signature Adrian D. Thewlis 8/9/01
Date

Residence 439 Sherwood Drive, Apt. 204, Sausalito, California 94965

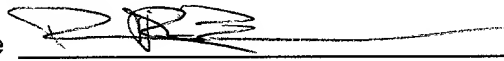
Post Office Address _____

Citizenship Australia

40662660

Full name of fourth joint inventor: DAVID R. BOYD

Inventor's signature



8/9/01

Date

Residence 1256 Kearny Street, San Francisco, California 94133

Post Office Address

Citizenship United States of America

Full name of fifth joint inventor: DAVID C. SALMON

Inventor's signature

Date

Residence 42 Sandalwood Court, San Rafael, California 94903

Post Office Address

Citizenship United States of America

Full name of sixth joint inventor: JOSHUA N. DEVAN

Inventor's signature

Date

Residence 25 Stetson Avenue, Lower, Kentfield, California 94904

Post Office Address

Citizenship United States of America

404 F.30 405b2600

Full name of fourth joint inventor: DAVID R. BOYD

Inventor's signature _____ Date _____

Residence 1256 Kearny Street, San Francisco, California 94133

Post Office Address _____

Citizenship United States of America

Full name of fifth joint inventor: DAVID C. SALMON

Inventor's signature David C. Salmon 8/9/2001
Date

Residence 42 Sandalwood Court, San Rafael, California 94903

Post Office Address _____

Citizenship United States of America

Full name of sixth joint inventor: JOSHUA N. DEVAN

Inventor's signature Joshua N. Devan 8/9/2001
Date

Residence 25 Stetson Avenue, Lower, Kentfield, California 94904

Post Office Address _____

Citizenship United States of America

T.04133-40662660

Applicant/Patentee: Christopher Samaniego, Nelson H. "Rocky" Offner, Adrian D. Thewlis, David R. Boyd, David C. Salmon, and Joshua N. Devan

Serial or Patent No. _____ Atty _____ Docket _____ No. _____
EQUI0001CIP

Filed or Issued: _____

For: AUTOMATED MEDIA DELIVERY SYSTEM

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) and 1.27(c)--SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: EQUILIBRIUM

ADDRESS: 1101 Fifth Avenue, Suite 200, San Rafael, CA 94901

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under 41(a) and (b) of Title 35, U.S. Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: AUTOMATED MEDIA DELIVERY SYSTEM, by inventor(s) Christopher Samaniego, Nelson H. "Rocky" Offner, Adrian D. Thewlis, David R. Boyd, David C. Salmon, and Joshua N. Devan, described in

☒ the specification filed herewith.

☐ application Serial No. _____ filed _____

☐ patent # _____ issued _____

104460 40662600

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *Note: separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: _____

Address: _____

☐ individual ☐ small business concern ☐ nonprofit organization

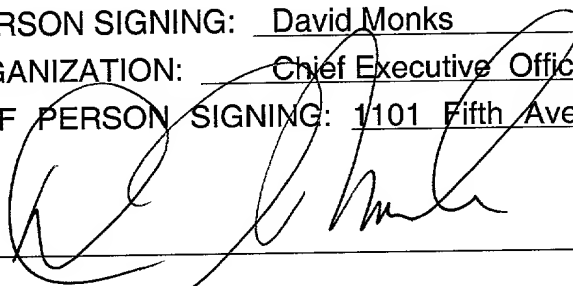
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the U.S. Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: David Monks

TITLE IN ORGANIZATION: Chief Executive Officer

ADDRESS OF PERSON SIGNING: 1101 Fifth Avenue, Suite 200, San Rafael, CA
9490194965

SIGNATURE  DATE 8/9/01

104160 40662660